

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of	)	
	)	
Review of the Emergency Alert System	)	EB Docket No. 04-296
	)	
Independent Spanish Broadcasters	)	
Association, the Office of Communication of	)	
the United Church of Christ, Inc., and the	)	
Minority Media and Telecommunications	)	
Council, Petition for Immediate Relief	)	
	)	

To: The Secretary

**COMMENTS**

Sunbelt Multimedia Co. ("Sunbelt"), the licensee of Station KTLN(TV), Rio Grande City, Texas ("KTLN" or the "Station"), by its attorneys, hereby submits these Comments in response to the Commission's Second Report and Order and Further Notice of Proposed Rulemaking ("*NPRM*") in the above-captioned proceeding.<sup>1</sup> In the *NPRM*, the Commission seeks comment on how to ensure that the Emergency Alert System ("EAS") effectively reaches all members of the public, including non-English speakers and persons with disabilities. As the licensee of a Spanish-language television station, Sunbelt has first-hand experience bringing emergency and disaster-related coverage, in an area that faces regular need for such information owing to its location on the border with Mexico

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<sup>1</sup> See *Review of the Emergency Alert System; Independent Spanish Broadcasters Association, the Office of Communication of the United Church of Christ, Inc., and the Minority Media and Telecommunications Council, Petition for Immediate Relief*, FCC 07-109, EB Docket No. 04-296 (released July 12, 2007). These Comments are timely filed as of December 3, 2007. See 72 Fed. Reg. 62195 (Nov. 2, 2007).

and the occurrence of hurricanes and flooding, to its Spanish-language viewers. Accordingly, while Sunbelt wholeheartedly supports the Commission's efforts to ensure that emergency alerts reach all Americans, including persons with disabilities. Sunbelt limits its Comments to the non-English language EAS issues raised by the Commission. In support thereof, Sunbelt states as follows.

In the *NPRM*, the Commission asks a number of questions concerning the delivery of emergency alerts to non-English speakers via EAS, including the following, which Sunbelt will address herein:

- How to identify localities with non-English speakers;
- In which markets should emergency alert rules apply; and
- What are the technical, economic, practical and legal implications of extending EAS to non-English speakers.

Beginning with the last question, Sunbelt simply wishes to emphasize that the technical, economic and practical issues involved in bringing EAS alerts to non-English speakers, while considerable, in no way justify dismissing the effort as impossible or unwarranted. The importance of reaching non-English speaking communities during emergencies cannot be overstated. Successful prevention and emergency relief efforts require an informed public. An informed public means the entire populace, including all non-English speakers. Sunbelt recognizes that scarce resources may limit the Commission's ability directly to regulate EAS's inclusion of non-English speaking communities. No doubt the Commission will have to make some practical decisions based on hard numbers, such as requiring specific non-English speaking groups to meet a threshold percentage of a local

population before triggering mandatory inclusion in EAS. However, Sunbelt urges the Commission to actively monitor all non-English speakers' access to information during emergencies, and to encourage local governments' and local broadcasters' efforts to reach non-English speaking populations during emergencies, even if those efforts are not specifically EAS.

Turning to the remainder of the Commission's questions, based on population percentages, Spanish-speaking communities obviously present the most pressing case for inclusion in EAS. For purposes of identifying areas with sizeable Spanish-language communities, the Commission should be able to rely upon U.S. Bureau of Census data and media market reports from services such as Nielsen.

Beyond simple population numbers, Sunbelt urges the Commission also to consider the degree to which specific areas, such as the Rio Grande Valley of Texas, are emergency/disaster-prone, as EAS alerts will be, as Sunbelt knows from experience, especially useful to non-English-speaking persons in those areas. For example, as a Telemundo affiliate broadcasting from a border community in the Harlingen-Weslaco-Brownsville-McAllen, Texas DMA, KTLM-DT not only serves a Spanish-speaking television audience, but operates under the unique market conditions of the Rio Grande Valley. As previously indicated, the Rio Grande Valley is particularly susceptible to severe storms and related flooding,<sup>2</sup> and its fragile economy and widespread poverty are well-

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<sup>2</sup> See, e.g., Cari Hammerstrom, *The Cost of Neglect: Group Says It Can't Prove Strength of Local Levees*, *The Monitor*, Sept. 14, 2006 at A1 (reporting on threat of floods and questionable conditions of levees in Rio Grande Valley).

documented.<sup>3</sup> These conditions suggest a heightened need for, as well as great social benefit from, timely and reliable Spanish-language EAS alerts. While Sunbelt recognizes the appeal of a hard numbers-based standard, consideration of such emergency-related factors would help ensure that EAS is deployed in the most effective, beneficial fashion possible. Accordingly, the Commission should require transmission of EAS alerts in Spanish in those areas, such as the Rio Grande Valley, where any Hispanic population of statistical relevance are subject to frequent emergency events.

In sum, Sunbelt supports the Commission's efforts to extend EAS to underserved groups, including non-English speakers. In identifying those communities requiring inclusion in EAS, the Commission should supplement a population/percentage approach with additional considerations focusing on the emergency/disaster-prone nature of particular regions and the corresponding benefit of including non-English language speakers in those regions in EAS.

WHEREFORE, Sunbelt Multimedia Co. respectfully requests that the Commission require the transmission of EAS alerts in Spanish in those areas, such as the Rio Grande Valley, with an Hispanic of statistical relevance exists, as nearly all areas

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<sup>3</sup> See, e.g., Katherine Boo, *The Churn: Creative Destruction in a Border Town*, *The New Yorker* (March 29, 2004) at 62 (describing the plight of residents and workers in the Rio Grande Valley).

throughout the country can and will be subject to disaster events.

Respectfully submitted,

**SUNBELT MULTIMEDIA CO.**

By: \_\_\_\_\_

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